

# ***Council Meeting*** – *Agenda*

## ***CITY COUNCIL CALENDAR***

***Thursday, October 11, 2007 - 7:00 p.m.***

**View Consent Agenda**

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### ***OPENING OF SESSION***

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***PRAYER LED BY: REVEREND LEONA FISHER – INTERCHURCH COUNCIL***

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### ***PLEDGE OF ALLEGIANCE***

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### ***CITATIONS***

1. CITATIONS, Councillor Morad, and City Councillors recognizing New Bedford Poll Workers who have dedicated their service to City of New Bedford.

Louise Jellison - 70 Years of Service  
Emile Lambalot – 58 Years of Service  
Joan Beehan – 52 Years of Service  
Rosalie Lada – 50 Years of Service  
Francis Golda – 50 Years of Service  
Maryann Lambalot – 47 Years of Service  
Albina Ward – 40 Years of Service  
Ellen M. Sylvia – 40 Years of Service  
Lorette Bourque – 40 Years of Service  
Judith Trahan – 35 Years of Service  
Hilda B. Catlow – 30 Years of Service  
Hannah H. Martin – 30 Years of Service  
Irene Jette – 28 Years of Service  
Harriet A. Anderson – 27 Years of Service  
Helen Aubut – 26 Years of Service  
Helen Palys – 25 Years of Service  
Arthur Calheta – 25 Years of Service  
Lois Lamabot – 25 Years of Service

Theresa Quintin – 60 Years of Service  
June M. Silva – 55 Years of Service  
Barbara Taylor – 50 Years of Service  
Natalie Prefontaine – 50 Years of Service  
Joseph Gendron - 50 Years of Service  
Janet Miller – 45 Years of Service  
Lorraine Michaud – 40 Years of Service  
Lucille Walsh – 40 Years of Service  
Cozette Poirier – 35 Years of Service  
Edna Arcouette – 34 Years of Service  
Barbara Ann Brunette – 30 Years of Service  
Eleanor Cabral – 30 Years of Service  
Viola Severino – 28 Years of Service  
Rita Souza – 27 Years of Service  
Laurette Masse – 26 Years of Service  
Claire Martin – 25 Years of Service  
Robert Lambalot – 25 Years of Service

2. CITATIONS, Councillor Gomes, honoring ST. LUKE’S HOSPITAL winning second time in a row the New Bedford Chowder Festival.

### ***RESOLUTION***

3. RESOLUTION, Councillor Gonsalves, honoring the YWCA SOUTHEASTERN MASSACHUSETTS in taking positive action towards eliminating Violence in the Community with the YWCA WEEK WITHOUT VIOLENCE.

### ***HEARINGS***

4. HEARING, on the DISCONTINUANCE of a Portion FOXBOROUGH STREET, (Board of Survey Street) 50 Feet Wide, from Pitman Street southerly to Wilson Street.

4a. COMMUNICATION, Anthony A. Kamara, Counsel I to City Council, submitting a proposed ORDER, for the discontinuance of a portion of Foxborough Street (Board of Survey Street) 50 feet wide from Pitman Street southerly to Wilson Street, advising that the City of New Bedford retains a utility easement in the property contained in the discontinued street as outlined in the order, this utility easement is retained by the City of New Bedford in perpetuity for the purpose of constructing, maintaining, replacing or repairing the present sewer main, water main and such other utilities as are present therein, or as may be required in the future (To be Received and Placed on File.)

5. HEARING, On the Application of ANTONIO MAOCHA d/b/a/ AMDORES BALA & CULTURA, Petition for a Special Permit for a CLUB OR LODGE-NONPROFIT, 766 County Street. (In City Council September 11, 2007, received and public hearing ordered for September 27, 2007.)

#### ***MAYOR'S PAPERS***

M1. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER that \$6,000,000 is appropriated for a fixed-based network automatic meter reading system or drive-by automatic meter reading system (depending upon the alternative selected by the City) that will furnish, install and test a complete and operating system that is capable of reading 100% of the meters in the City, including network control computer, software, data collection units, and related facilities, and for the training program and the technical support during the contract period; that to meet this appropriation the Treasurer with the approval of the Mayor and the Committee on Finance is authorized to borrow \$6,000,000 under Chapter 44 of the General Laws or any other enabling authority; that the Mayor is authorized to take any necessary action to carry out this project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes.

M1a. AN ORDER,

M2. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER, that in accordance with Chapter 44, Section 53E ½, the revolving fund under the control of the Department of Public Facilities, known as the Quest Center whose purpose is to provide a focus for entrepreneurial training and location for business start-up activities focusing on marine/maritime technologies, life sciences and software development whose revenues and amount limited to be spent are estimated at \$126,325 is hereby authorized for fiscal year 2008.

M2a. AN ORDER,

M3. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$4,715.00 from FREE CASH to ZOO, CAPITAL OUTLAY.

M3a. AN ORDER,

M4. COMMUNICATION, Mayor Lang, to City Council submitting a SEWER ABATEMENT REQUEST for RONALD OLIVEIRA, 63 Adams Street, New Bedford, MA 02746, Account No. 27900, in the amount of \$683.40.

M5. COMMUNICATION, Mayor Lang, to City Council submitting a SEWER ABATEMENT REQUEST for ARTHUR ROSE, 61 Princeton Street, New Bedford, MA 02745, Account No. 14959, in the amount of \$676.60.

M6. COMMUNICATION, Mayor Lang, to City Council submitting a SEWER ABATEMENT REQUEST for CHARLES CORREIA, 446 South Second Street, New Bedford, MA 02740, Account No. 15850, in the amount of \$428.40.

M7. COMMUNICATION, Mayor Lang, to City Council submitting a SEWER ABATEMENT REQUEST for ST. GEORGE GREEK ORTHODOX CHURCH, 87 Ashley Boulevard, New Bedford, MA 02746, Account No. 008249, in the amount of \$210.80.

M8. COMMUNICATION, Mayor Lang, to City Council submitting a SEWER ABATEMENT REQUEST for WALTER FREITAS, 408 Brock Avenue, New Bedford, MA 02744, Account No. 29098, in the amount of \$108.80.

M9. COMMUNICATION, Mayor Lang, to City Council submitting a SEWER ABATEMENT REQUEST for WILLIAM MARSH, 369 Brook Street, New Bedford, MA 02745, Account No. 22722, in the amount of \$68.00.

M10. COMMUNICATION, Mayor Lang, to City Council, submitting a request for ONE-YEAR WAIVER OF RESIDENCY for MR. RANDALL HAZZARD, 8 Jillian Place, North Dartmouth, MA as an Intermittent Paramedic and recently accepted a position as a Temporary Full-Time Paramedic; this waiver will expire October 12, 2008.

M11. COMMUNICATION, Mayor Lang, to City Council, submitting a request for ONE-YEAR WAIVER OF RESIDENCY for MR. MARK REIMELS, 130 Wall Street, Middleboro, MA as a variable time EMS Field Supervisor; this waiver will expire October 26, 2008.

M12. COMMUNICATION, Mayor Lang, to City Council, submitting a request for ONE-YEAR WAIVER OF RESIDENCY for MR. JOHN OLIVEIRA, 3 Plymouth Boulevard, Westport, MA as an Electrician for the Department of Public Facilities; this waiver will expire October 4, 2008.

M13. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENTS as WEIGHERS OF MERCHANDISE for the term to expire December 31, 2007 for the following:

Janet Elliot  
157 Washington Street  
Fairhaven, MA 02719

Peter Dagenais  
64 Katherine Street  
New Bedford, MA 02744

M14. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of EDWARD RUPKUS, 124 Wood Street, New Bedford, MA 02745 as a SPECIAL POLICE OFFICER.

M14a. APPLICATION,

### ***NEW BUSINESS***

6. REPORT, Committee on Ordinances, recommending to the City Council that all Special Permit Applications for Auto Sale Licenses be referred from the City Council to the Appointments & Briefings Committee, and that the fee of \$700.00 be required for such applications, due to the cost of advertising, filing and other miscellaneous expenses related to the processing of such an application; and further, that this fee be reviewed on a annual basis to reflect the advertising costs and that the fee also be adjusted each time the Zoning Board of Appeals and the Planning Board adjust their fees, due to ever increasing advertising costs and other expenses.

7. REPORT, Committee on Ordinances, recommending that the City Council send a letter to the State Legislature asking that they Amend MGL Chapter 94C, Section 1 "Drug Paraphernalia" by adding (p) blunt wrappers, (q) rose bud smoking pipes, in the definition of drug paraphernalia.

8. REPORT, Committee on Ordinances, recommending to the City Council ADOPT the ORDINANCE, Amending Chapter 19, Section 19-7 of the City Code by inserting the position of “Procurement and Compliance Attorney” – Grade M1.

8a. AN ORDINANCE, Amending Chapter 19, Section 19-7 PERSONNEL, inserting the position of PROCUREMENT AND COMPLIANCE ATTORNEY – GRADE M1. Passed to a second reading and referred to the Committee on Ordinances in its second reading stage May 10, 2007. (To be Passed to be Ordained.)

9. REPORT, Committee on Appointments and Briefings, recommending that the City Council ADOPT the CITY COUNCIL ORDER, that the Cemetery Department replace the stone and sign that they removed from the burial plot of Mr. Palmer’s wife at Rural Cemetery, within seven (7) days.

9a. AN ORDER,

10. REPORT, Committee on Finance, recommending that the City Council ADOPT the ORDER for the Transfer of \$107,740.00 from STABILIZATION FUND, to AIRPORT, CHARGES & SERVICES.

10a. AN ORDER

11. REPORT, Committee on Finance, recommending that the City Council ADOPT the ORDER for the Transfer of \$380,000.00 from STABILIZATION FUND to TREASURERS DEBT REQUIRED – INTEREST NOTES.

11a. AN ORDER,

12. REPORT, Committee on Finance, recommending that the City Council ADOPT the ORDER for the Transfer of \$100,000.00 from STABILIZATION FUND, to GENERAL GOVERNMENT UNCLASSIFIED.

12a. AN ORDER,

13. REPORT, Committee on Appointments and Briefings, recommending that the City Council send a letter to our Federal Delegation asking them to acquire funds for New Bedford to start and operate an “Early Head Start Program” here in the City.

14. REPORT, Committee on Appointments and Briefings, recommending that the City Council go on record in support of “safe zones” and request that the Administration also support this initiative by working with Jerry Pinto and his Organization, and private and public entities so that the list of proposed “safe zones” sites can be reviewed and established as such.

15. REPORT, Committee on City Property, recommending that the City Council ACCEPT the offer of \$700.00 from Mr. Raymond Picard for a portion of Plot 130B, Lot 912, Parcel A, containing 115.5 square feet (north west corner of Church and Joyce Streets); and to instruct the City Solicitor’s Office to create a Deed based on the new metes and bounds for this new lot.

16. WRITTEN MOTION, Councillor Alves, requesting that the City Council send a letter of support to Pennsylvania Real Estate Investment Trust in their development of the Hicks Logan Street Area into a residential, condominium and retail area, which would service the Wamsutta Mills Development and the City of New Bedford.

17. WRITTEN MOTION, Councillor Alves, requesting that the Committee on Appointments and Briefings, meet with Representatives of the Health Board, Health Inspector Barry Sylvia and whoever is responsible for the licensing and inspecting of Massage Parlors, and the authorization of Massage

Therapists in the City of New Bedford to clarify and determine the procedure by which licenses are issued and its facilities are monitored in the City.

18. WRITTEN MOTION, Councillor Coelho, requesting that the Department of Public Infrastructure make an adjustment in billing due to the number of complaints from constituents being charged high sewer rates for water used in gardens as opposed to the normal rate charged for regular usage.

19. WRITTEN MOTION, Councillor Gonsalves, requesting that the Traffic Commission install Handicap Parking at 498-500 Allen Street, on the Brownell Street side, on behalf of Saul and Sheila Cohen. (Copy of Handicap Placards enclosed.)

20. WRITTEN MOTION, Councillor Gonsalves, requesting that the Committee on Public Safety and Neighborhoods meet with representatives from the New Bedford Police Department, UMASS Dartmouth Police Department, as well as the Disciplinary Hearing Office of UMASS Dartmouth to address concerns relative to UMASS Dartmouth college students who live off campus in the neighborhoods of New Bedford and their behavior. (To be referred to the Committee on Public Safety and Neighborhoods.)

21. WRITTEN MOTION, Councillor DeMedeiros, requesting that the following street(s) be CLOSED: SAWYER STREET, from Acushnet Avenue to North Front Street; BEETLE STREET, from Acushnet Avenue to North Front Street; and HOWARD STREET, from Coggeshall Street to Beetle Street, from 1:00 P.M. on SATURDAY, October 13, 2007 through 2:00 A.M. on SUNDAY, October 14, 2007, for the purpose of The Mayan Cultural Feast. NOTE: That the Parking Lot known as the HOWARD STREET PARKING LOT, between Sawyer and Beetle Streets, be CLOSED for setup and for the Festival, from 6:00 A.M. on FRIDAY, OCTOBER 12, 2007 through MONDAY MORNING, OCTOBER 15, 2007.

22. WRITTEN MOTION, Councillor Alves & DeMedeiros, requesting that the Committee on Appointments and Briefings, in an effort to address the concerns of the neighborhood residents, meet with the owners of the Liquor store, the pizza place, and the Express Convenience store located on the corners of Durfee Street and Shawmut Avenue, residents in the immediate area, Executive Secretary of the Traffic Commission Scott Downing, Health Inspector Barry Sylvia and the Chief of Police, to determine what can be and (needs to be done) to insure the safety of the residents of the area and further, that the area is kept free and clean of trash and litter, and to do so in a manner agreeable to all, for the opportunity for the small businesses in the area, to receive deliveries and maintain their business being open as a service to the Community.

23. WRITTEN MOTION, Councillor Lawrence, requesting on behalf of Mrs. Sousa and area residents, that a streetlight be placed at the corner of Coggeshall and Howard Streets, the area is very dark and the neighbors would feel safer if a light could be installed there.

24. WRITTEN MOTION, Councillor Coelho, requesting on behalf of Antero and Humberta Raposo, that DPI install a sidewalk in front of their residence, at 181 Church Street, where they have lived for twelve years with a dirt sidewalk, and water seeps into their basement during rainy weather causing mold and damage to their property; and further, that this be done without delay as the Raposos have requested assistance from the City on several occasions without result. (To be referred to the Department of Public Infrastructure.)

25. WRITTEN MOTION, Councillor Pina, requesting that Mayor Lang and City Planner David Kennedy, look at the Master Plan and incorporate Bike Lanes for our City streets to make New Bedford a bike friendly City, as they are looking to do in Boston.

26. WRITTEN MOTION, Councillor Gomes, requesting that DPI have the street sweepers clean Nash Road from Church Street to Mt. Pleasant Street weekly; and further, that assistance from the Sheriff's Department be provided to cut back the grass along the Nash Road Pond area; and that the sidewalks be weed whacked and cleaned due to the investment that has been made by several businesses in this area, which has become a vital area for business and traffic and parking along Nash Road, and that this work be done as soon as possible.

27. WRITTEN MOTION, Councillor Gomes, requesting that the City Council go on record in support of Governor Deval Patrick's decision to locate a casino in the Southeastern New England area, preferably New Bedford, and that a letter be sent to the Senate Leadership, along with the House Leadership outlining our position in support of the Governor's decision; and asking that the Senate and House Leaderships take our request and make it public; and further, that the letter be signed by each and every member of the New Bedford City Council declaring our support of locating a casino in the New Bedford area.

28. WRITTEN MOTION, Councillor Gomes, requesting that the Police Department increase their patrols in the area of Seymour and Hudson Streets due to the increasing amounts of house break-ins that have occurred in said area; and further, that the patrols be increased to reassure concerned residents.

29. WRITTEN MOTION, Councillor Gomes, requesting, that a letter be sent to the Town of Dartmouth, asking, in light of their decision to turn off streetlights, and due to public safety concerns that this Councillor has, that the two lights in front of the McDonald's, located on Dartmouth Street, just south of Rockdale Avenue and the light on the New Bedford side of Rockdale Avenue in front of the Bank of America be turned back on.

30. WRITTEN MOTION, Councillor Gomes, requesting, that the City Council send a letter to the House and State Leadership going on record against any increase in the gasoline tax, due to the fact that the gasoline tax that has been proposed is meant to address our road conditions, and due to the fact that the Commonwealth of Massachusetts already has a tax that addresses our roads along with an Excise Tax which the Commonwealth, the only State in the Country collecting such a Tax receives.

31. WRITTEN MOTION, Councillor Gomes, requesting, that the Committees on Public Safety and Neighborhoods and Internal Affairs, meet with Police Chief Ronald Teachman, along with any other agency pertaining to promotions within the Police Department, to explain why an Officer who finishes higher on the scoring for a promotion is not promoted while other Officers are, creating poor morale and concern for the Officers doing everything that is expected of them in order to be promoted, and are not being promoted on the merits of their scoring.

32. WRITTEN MOTION, Councillors Lawrence & Morad, requesting, that the New Bedford City Council find that certain Senior Citizens of the City are in need of relief from ever increasing Real Estate property taxes, consequently, the New Bedford City Council shall adopt a Senior Citizen Tax Deferment Program to ease the financial strain placed upon certain Citizens. (To be referred to the Committee on Ordinances.)

33. WRITTEN MOTION, Councillor Lawrence, requesting that the Committee on Appointments and Briefings, meet with the Harbor Development Commission to see what, if anything the Council may do to help increase the number of berthing sites for our Fishing Fleet.

34. WRITTEN MOTION, Councillor Coelho, requesting that the City provide Riverside Park with a Christmas Tree this Holiday Season, for the past two years the Bullard Street Neighborhood Association has asked for a tree to illuminate Riverside Park, one of the few City parks left without a tree for the Holidays.
35. WRITTEN MOTION, Councillor Gomes, requesting on behalf of Emma Rivera, that the sidewalk at 116 Ruth Street be repaired (To be referred to the Department of Public Infrastructure.)
36. WRITTEN MOTION, Councillor Pina, requesting on behalf of Maria DaSilveira of 100 South Sixth Street, and other neighbors living in the area of South Sixth and Wing Streets, that a Stop sign be put on Wing and South Sixth Streets, due to the fact that many accidents occur at this corner, and that Maria DaSilveira's house has been hit three times by vehicles, leaving her concerned about the safety of her children.
37. WRITTEN MOTION, Councillor Pina, requesting that the Department of Public Infrastructure work to rid the City's South Central area of the obnoxious odors emanating throughout the neighborhood; and further, that the Department of Public Infrastructure work with M.F. Foley, Inc. of 77 Wright Street to rid the neighborhood of this odor which we believe is being caused by a sewer backup.
38. WRITTEN MOTION, Councillor Coelho, requesting that the Department of Public Facilities install a sidewalk at the residence of Manuel and Maria Machado, 776 Coggeshall Street, due to the fact that a neighbor has fallen in front of their property, and snow removal is very difficult during the long winter months.
39. WRITTEN MOTION, Councillor Coelho, requesting on behalf of the residents of Whalers Cove, 114 Riverside Avenue, that the Traffic Commission install crosswalks at said complex; and further that a letter be sent to SRTA requesting that Riverside Avenue be included on their regular bus route as many of the residents do not own or drive an automobile.
40. WRITTEN MOTION, Councillors Gonsalves, Coelho, DeMedeiros, Koczera, Lawrence, Pina, Alves, Gomes, Saunders and Morad; requesting that the Committee on Ordinances draft an Ordinance that requires all liquor establishments to provide an outside dispenser for cigarette butts and that said dispenser be emptied daily and that they be required to also clean up any cigarette butts that are left on the sidewalk or in the gutter in the immediate area of their property. (To be referred to the Committee on Ordinances.)
41. WRITTEN MOTION, Councillor Coelho, requesting that Economic Development look into the possibility of bringing a supermarket to the Downtown area, the food shopping needs of the residents, especially the Seniors who reside Downtown are not being met, also with so many new condominiums being built, the area is becoming more residential and a supermarket in the Downtown area is an absolute necessity.
42. WRITTEN MOTION, Council President Alves, requesting on behalf of Veteran's Day participants, that the following street(s) be CLOSED: PLEASANT STREET, from Union Street to Elm Street; MARKET STREET, from North Sixth Street to Pleasant Street; WILLIAM STREET, from North Sixth Street to Pleasant Street, on SUNDAY, NOVEMBER 11, 2007, FROM 8:00 A.M. TO 2:00 P.M., for the purpose of the ANNUAL VETERAN'S DAY PARADE, AND THE CEREMONIES AT THE REVIEWING STAND AT THE NEW BEDFORD FREE PUBLIC (MAIN) LIBRARY.

43. WRITTEN MOTION, Councillor Gomes, requesting that the City Council go on record in support of placing signage above the Coral Street sign that read “Leo R. Pimental Way”, which runs between the South End Youth Athletic Association’s Field and Lot 13, and further, that the grassy area which is located on the south side of Lot 13 between Coral Street and Brock Avenue have a plaque and monument stone dedicating the Way and three (3) flags poles, the American Flag, the City Flag which would represent his City service and the last one, with consent of the area Veterans, the Veterans flag which symbolizes the love he had for the area Veterans and his dedication to the Veterans causes which is represented throughout New Bedford with Veterans Memorials especially in Ward Six. (To be referred to the Committee on Memorials and Dedications.)

44. WRITTEN MOTION, Council President Alves, requesting, on behalf of the Zeiterion Theatre that the following street be CLOSED: PURCHASE STREET, from Spring Street to School Street on FRIDAY, OCTOBER 26, 2007 at 2:00 P.M. THROUGH MONDAY, OCTOBER 29, 2007, 10 A.M. for the purpose of the Icelandic Dance Company Tent Event.

45. PETITION, DAVID A. SCOTT, d/b/a/ Scotty’s LTD Limo Service, 218 Nash Road, New Bedford, MA 02746 requesting a RENEWAL of a PRIVATE LIVERY SERVICE under the provisions of Massachusetts General Laws, Chapter 159A, Section 1, and amendments thereto, and all other Laws applicable to such operation, to carry passengers for hire over the streets of New Bedford (Submitted by Councillor Koczera.)

45a. AN ORDER,

46. COMMUNICATION, City Clerk, to City Council, requesting that the City Council set the Annual Bond for 2008 for the City Clerk at \$35,000.00.

46a. AN ORDER,

47. COMMUNICATION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW: 85 COGGESHALL STREET (FAIRHAVEN MILL), advising that “the structure was constructed in 1892 and retains its original exterior architectural features of both material and massing, the structure is associated with the architectural, cultural and social history of New Bedford, the textile and industrial mills were a leading industry that shaped the City in the 19<sup>th</sup> and early 20<sup>th</sup> centuries and this structure is representative of area, the structure is the last mill remaining of this mill complex, the documented evidence that Lewis Hine photographed children at work inside Bennett Mills (Fairhaven Mills #4), the work of Mr. Hine led Congress in 1916, to enact the “Child Labor Laws,” therefore, “the NBHC has determined that 85 Coggeshall (Fairhaven Mills) is a historically significant structure and preferably preserved.”

48. COMMUNICATION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 70 HATHAWAY BOULEVARD..OLD ALLEN P. KEITH JR. HIGH SCHOOL, advising that “the structure is NOT located in a National Register Historic District, and that “the structure is of NO notable historic significance either recorded or found with the existing condition of the structure,” therefore, “the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved.”

49. COMMUNICATION, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW OF 144 WATER STREET... an industrial style building, masonry portion only, advising that “the structure is NOT located in a National Register Historic District, and that “the structure is of NO notable historic significance either recorded or found with the existing condition of the structure,” therefore, “the NBHC has determined that the building is NOT a historically significant building or structure and not preferably preserved.”



50. COMMUNICATION, Legislative Counsel David Gerwatowski to City Clerk/Clerk of the City Council Rita D. Arruda stating his legal opinion with regard to who succeeds the late Leo R. Pimental as City Council President. (To be Received and Placed on File and Copy all Councillors 10/03/07.)

51. COMMUNICATION, City Solicitor Schall, to City Council, submitting AN ORDINANCE Amending Chapter 16, Municipal Utilities and Services, Section 16-74 by adding recyclables and yard waste to reduce the amount of time that receptacles for such materials may be left on the sidewalks and to clarify that the owner will be responsible for violations.

51a. AN ORDINANCE,

52. COMMUNICATION, City Solicitor Schall, to City Council, submitting AN ORDINANCE Amending Chapter 16, Municipal Utilities and Services, by adding a new Article VI, Miscellaneous Municipal Charges, Section 16-100, Due Dates for bills, at present these charges do not accrue interest if they are not paid.

52a. AN ORDINANCE,

53. COMMUNICATION, City Solicitor Schall, to City Council, submitting AN ORDINANCE Amending Chapter 23, Article I, IN GENERAL, Section 23-23 (Heavy truck parking in residential zones) and add a new Section 23-25, Idling motor vehicles; Section 23-23 amend the current section by deleting reference to the "Red Book" and by referencing licensing requirements for vehicles under the Massachusetts General Laws, thereby improving enforcements and Section 23-25 is a new section which addresses idling of motor vehicles in all areas of the City to address a quality of life and environmental concern.

53a. AN ORDINANCE,

54. COMMUNICATION, City Solicitor Schall, to City Council, submitting AN ORDINANCE Amending Chapter 17, Section 17-18 (j), Noncriminal disposition of violations of certain Ordinances, rules and regulations, the proposed Ordinance would amend the following (1) Garbage, rubbish, recyclable, trash, yard waste and ashes collection; duty of owner; (2) Trailers and structures attached on public ways; (3) Heavy truck parking and (4) Idling of motor vehicles.

54a. AN ORDINANCE,

56. COMMUNICATION, Department of Inspectional Services Commissioner Ronald A. Durgin, to City Council, regarding the EMERGENCY DEMOLITION of Elco Dress Factory building at 330 Collette Street, due to the condition of the building which is far beyond the possibility of practical repair and is currently a potential hazard to the surrounding neighborhood in that area and further that the City has already sent out Request for Proposal on the demolition of the building, selected a qualified Demolition Contractor and anticipate the demolition process moving forward over the next few weeks.

57. COMMUNICATION, Maria de Jesus Mascarenhas, Consul General, Republic of Cape Verde to Members of the City Council, offering deepest condolences to the sudden and sad loss of Councillor Pimental. (Copy all Councillors 10/02/07.)

58. COMMUNICATION, Joan Marie Beaubian, 404 Middle Street, New Bedford, MA 02740, to Mayor Lang, submitting her resignation as Chairperson of the New Bedford Historical Commission. (Copy all Councillors 09/11/07)

59. COMMUNICATION/INVITATION, John Moniz, Greater New Bedford Veterans Council, to City Council an invitation to the Annual Veterans Day Parade and Services on Sunday, November 11, 2007. (Copy all Councillors 10/02/07)

60. COMMUNICATION/INVITATION, Martha Rogers, Legislative Breakfast Committee Member to Council Members, an invitation to the Seventh Annual Legislative Breakfast on Friday, October 26, 2007 from 8 a.m. to 11 a.m. at White's of Westport. (Copy all Councillors 09/27/07)

61. COMMUNICATION, Blair S. Bailey, Tax Title Attorney, to City Council, regarding a listing of properties to be auctioned by the Treasurer's Office at the end of October (Copy all Councillors 09/17/07.)

62. COMMUNICATION, Union Street Bus Company, Inc., 65 Potomska Street, to Councillor Pina, regarding Motion dated 08/16/07, requesting relocation of a bus stop at 766 Kempton Street.

#### **TABLED BUSINESS**

**02/23/06** WRITTEN MOTION, Councillor Saunders, requesting RECONSIDERATION on the matter of the COMMUNICATION, Mayor Lang, to City Council, submitting for approval the RE-APPOINTMENT of JOSE GOUVEIA, 112 Bryant Lane, New Bedford, MA, to the HARBOR DEVELOPMENT COMMISSION, whose term expired December 2001. This appointment will expire December 2007. (Appointment Confirmed – Yeas 11, Nays 0 at the regular City Council Meeting on February 09, 2006 Agenda.) (Note: This Item, which is Item #L14 on Late File Agenda was confirmed on a Substitute Motion by Councillor Morad, which was allowed, and Appointments Confirmed on Items L8, L10, L11, L12, L14, L16, L31 and L33.)

**02/23/06** COMMUNICATION, Mayor Lang, to City Council, submitting for approval the RE-APPOINTMENT of JOSE GOUVEIA, 112 Bryant Lane, New Bedford, MA, to the HARBOR DEVELOPMENT COMMISSION, whose term expired December 2001. This appointment will expire December 2007.

**07/20/06** CITATION, Councillor Pina, honoring PAUL PELLETIER, in recognition of his Years of Service to the Residents of Boa Vista Housing Development as President of the Tenant Association for the past Six Years.

**08/17/06** CITATION, Councillor Morad, honoring SPECIALIST ALVARO A. SANTOS, United States Army Reserve, 844<sup>th</sup> Engineering Battalion, a Heavy Construction Equipment Operator, who served in support of Operation Iraqi Freedom in Kuwait from December 18, 2004, to December 12, 2005, and was awarded the Army Achievement Medal, the National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Armed Forces Reserve Medal with "M" Device, Army Service Ribbon and the Overseas Service Ribbon.

**08/17/06** CITATION, Councillor Pina, honoring BELMIRO FERNANDES, United States National Guard, in recognition of his serving our County in Operation Iraqi Freedom, from September 06, 2005, until July 06, 2006.

**08/17/06** RESOLUTION, Council President Alves, recognizing AUGUST 09, 2006, as COMCAST/TOON DISNEY'S PASSPORT TO READING DAY IN NEW BEDFORD.

**08/17/06** RESOLUTION, Council President Alves, honoring POLICE OFFICER PAUL FONSECA for his HEROIC ACTIONS AT THE SAVOY NURSING HOME FIRE – JULY 23, 2006.

**01/25/07** WRITTEN MOTION, Councillor Pina, requesting, on behalf of the residents of Hillman Street, that the Traffic Commission issue Residential Parking signs to the neighbors surrounding the Quest Center and New Directions, as the employees, and visitors, are taking up all the parking spaces, and, since there is no residential off-street parking at their homes, the residents are in need of parking places.

**02/08/07** HEARING, on APPLICATION of CYNTHIA AND ERIC BELINKOFF, 366 HATHAWAY REALTY TRUST, 366 HATHAWAY ROAD, NEW BEDFORD, MA 02740, requesting AN INCREASE in License to keep, store and/or sell products of CRUDE PETROLEUM or any of its products, at 366 HATHAWAY ROAD, being Plot 94, Lot 20; Application is for 40,000 GALLONS (from 25,520 gallons) of gasoline and diesel fuels underground. (License for 25,520 gallons was previously granted on September 13, 1973, to Texaco, Inc., and registered to 366 Hathaway Realty Trust in August 2006.) (In City Council February 08, 2007 – Tabled until next Council Meeting – February 22, 2007.) (In City Council February 22, 2007 – Motion by Councillor DeMedeiros to keep item on the Table ADOPTED – All Ayes. – TABLED.)

**02/08/07** AN ORDER, (In City Council February 08, 2007 – Tabled until next Council Meeting – February 22, 2007.) (In City Council February 22, 2007 – Motion by Councillor DeMedeiros to keep item on the Table ADOPTED – All Ayes. – TABLED.)

**05/24/07** CITATION, Councillors Alves and Pina, honoring P.A.C.E. (PEOPLE ACTING IN COMMUNITY ENDEAVORS,) in recognition of 25 Years of Service to the Greater New Bedford Area.

**05/24/07** RESOLUTION, Councillors Alves, Morad, Saunders and Pina, honoring DPI COMMISSIONER RONALD LABELLE in recognition of his receiving the National Association of Clean Water Agency's 2007 Local Public Service Award, presented at the NACWA 2007 Forum on May 07, 2007 in Washington, D.C.

**08/16/07** RESOLUTION, Councillors Alves, Morad, Coelho, DeMedeiros, Gonsalves, Pimental, honoring COASTLINE ELDERLY SERVICES, INC. at its 30<sup>TH</sup> ANNIVERSARY CELEBRATION, THURSDAY, AUGUST 23, 2007 – 30 YEARS OF CARING!